

PROB 12A
(6/16)FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**United States District Court****for the****May 03, 2023**

SEAN F. MCAVOY, CLERK

Eastern District of Washington**Report on Offender Under Supervision**
(No Action Requested)

Name of Offender: Alvaro Gaitan Case Number: 0980 1:19CR02043-SAB-1

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: August 19, 2020 Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm, Date Supervision Commenced: April 17, 2023
18 U.S.C. §§ 922(g)(1), 942(a)(2)

Original Sentence: Prison - 37 months Date Supervision Expires: March 16, 2026
TSR - 36 months

Revocation Sentence: Prison - 30 days
(April 11, 2023) TSR - 35 months

NONCOMPLIANCE SUMMARY

On April 24, 2023, Mr. Gaitan's conditions of supervised release were reviewed by the probation officer and he signed said conditions acknowledging an understanding of his requirements.

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Special Condition # 6:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> The offender is alleged to have violated special condition number 6, by ingesting a controlled substance, marijuana, on or about April 22, 2023.</p> <p>On April 22, 2023, Mr. Gaitan submitted a urine specimen at Pioneer Center East (PCE) that returned positive for marijuana. When questioned by the probation officer, Mr. Gaitan indicated he had been using marijuana regularly prior to his incarceration, but had not used since his release from federal custody.</p>

U.S. Probation Officer Action:

Mr. Gaitan was released from federal custody on March 17, 2023, due to having credit for time served previously on this case. He was then held on a state detainer and was released to the community on April 18, 2023.

On April 20, 2023, Mr. Gaitan reported to PCE to commence inpatient treatment. This officer met with him at the inpatient facility to review his intake paperwork on April 24, 2023. At that time, he reported he had tested positive for marijuana upon his arrival at the facility. As noted above, he denied any marijuana use since his release from custody.

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According to his treatment counselor, Mr. Gaitan is doing well in treatment and she suspects he may be in the program for 45 to 60 days. Mr. Gaitan appears motivated to participate in treatment and this officer encouraged him to utilize his time in treatment to identify relapse prevention strategies.

Given his current participation in inpatient treatment, this officer recommends that the Court take no action regarding the alleged violation.

Please advise the undersigned if Your Honor requires a different course of action or a court appearance by the offender.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On:

May 2, 2023

s/Lori Cross

Lori Cross

U.S. Probation Officer

Date: May 2, 2023

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- ☒ Court Concurs with Officer Action
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons
☐ Other



Signature of Judicial Officer

5/3/2023

Date